

## REMARKS

### 35 USC 103(a)

The Examiner rejects Claims 1-7, 10-14, and 17 under 35 USC 103(a) as being unpatentable over Saito (USPN 6,744,894), and further in view of Peterson, Jr. (USPN 5,825,876). Applicants respectfully traverse.

Applicants amend Claim 6 and the parallel apparatus Claim 13 to recite that the step of processing the information of the header, which is not needed to play back the unencrypted start section, takes place concurrently with the playing back of the unencrypted start section. As outlined in, for example, on page 18, last paragraph or page 6, second paragraph or page 16, third paragraph of the specification, this feature allows devices having limited storage or processing resources, and significant delays are nevertheless avoided.

Claim 6 is based on earlier pending Claims 6, 7, 8. Claim 13, is based on earlier pending Claims 14 and 15. These claims do not simply say that there is a parallel encryption/decoding operation. Instead, these claims clearly state that the header includes information for playing back the unencrypted start section and the header additionally includes information which is not needed to play back the unencrypted start section. Specifically, the information on the header which is necessary to play back the unencrypted start section is initially processed and the information of the header which is not needed to play back the unencrypted start section is processed concurrently with the playing back of the unencrypted start section. Therefore, the claim defines the processing of a certain portion of the header concurrent with playing back the unencrypted start section.

Regarding this feature, the Examiner points to Downs (USPN 6,226,618), but the cited passage in column 82, lines 46-55 only states that a concurrent decryption-decode-playback of the content takes place, where there is no need to first decrypt the entire file prior to decode and playback. The reason for being able to

do this is that, instead of the DES algorithm, the SEAL algorithm is used. Furthermore Downs teaches completely encrypting the data file, *i.e.* the content file, which is indicated by the, for example, keys at item 127 in Fig. 1A.

Therefore, Downs has to be read as follows, since this document does not even disclose any header for the encrypted content.

Downs is silent on a header.

Furthermore, Downs discloses decoding a certain portion of the user data block, while a later portion in the user data block is decrypted in order to be ready for replaying. However, the amended claims define a situation, where a portion of a header rather than a portion of the user data block is encrypted concurrently with a playback of the unencrypted start section. Additionally, the information of the header, which is not needed for playing back the unencrypted start section is the data which is processed concurrently with the playback. Such a procedure is neither disclosed in Saito, Peterson, Jr., or Downs.

In view of that, the cited references fail to teach or disclose a different processing of a portion of a header necessary for playing back an unencrypted start section and of a portion of the header necessary for decrypting a encrypted portion.

Additionally, there does not exist any teaching of the prior art that the step of processing the information of the header which is not needed to play back the unencrypted start section is performed concurrently with the playing back of the unencrypted start section as defined in the last paragraph of Claims 6 and 13.

### **Conclusion**

Applicants respectfully posit that the pending claims have been distinguished from the art of record, and that all rejections of the claims have been overcome. Accordingly, Applicants respectfully request allowance of all claims. The Examiner is invited to please contact Applicants' attorney at (650) 474-8400 should any questions arise.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'E. Ruzich', written in a cursive style.

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